



HOME DAY CARE/PRESCHOOL BUSINESS LICENSE PROCESS

HOME OCCUPATION DEFINED: Commercial and industrial activities should be conducted in zones where such activities are specifically permitted. However, limited business activities may be conducted within residences located in the City if the business activities strictly comply with all home occupation requirements as set out in Cottonwood Heights City Code.

A Home Occupation means any use conducted entirely within a dwelling and carried on by one person residing in the dwelling unit, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character of the dwelling or property for residential purposes, and in connection with which there can be a display of stock in trade. The Storage of stock in trade shall be a maximum of 250 cubic feet. "Stock in trade" being any item offered for sale which was not produced on the premises.

The home occupation shall not involve the use of any accessory building or yard space or activity outside the main building. Parking for a home occupation shall be limited to two (2) available parking spaces on the subject property where automobiles are customarily parked.

Although a day care license is not required for 4 or less children with the state a business license must be obtained with Cottonwood Heights. "Related Children" children whose child care is provided by their parents, legal guardians, grandparents, brothers, sisters, uncles or aunts, are not required to have a day care license, unless they are receiving state assistance. In addition to the business license a conditional use permit must be obtained and may require additional fees.

Cottonwood Heights' code for "**Home day care/preschool small**" allows up to six or less children (including children living in the home) and requires a conditional use permit approved by the Planning Department Administration. There is also the "**Home day care/preschool**" allowing up to 12 or less children (including children living in the home) and requires a conditional use permit approved by the Planning Commission. Questions can be directed to the Planning Department at (801) 944-7000.

- If you're looking for information on starting a new business please refer to www.business.utah.gov.
- All Federal and State requirements pertaining to your business must be completed before submitting your application to Cottonwood Heights. Your business name must be registered with the Utah State Department of Commerce, (unless you are doing business under your own name). Verification must be provided. If applicable you will need an Employer Identification Number, (Federal Tax ID number) and/or a Utah State Sales Tax Number.
- To register a new business you can go to www.business.utah.gov/registration for one stop registration.
- A Utah State Child Care License must be obtained before the Cottonwood Heights business license can be issued, please contact:
Bureau of Child Care Licensing
288 N 1460 W, SLC UT 84114
(801)538-9288
www.health.utah.gov/licensing

Please be aware the State application process may take 6-8 weeks.

- Once an application is received it will be forwarded to the Planning Department and they will contact you regarding the Conditional Use Permit.
- The caregiver/preschool provider shall notify in writing all property owners within a five hundred foot radius of the caregiver's/preschool's property concerning the licensing of a home day care/preschool at such property.
- All applications must be filled out completely. Missing information may cause a delay in processing.
- Licensing Fee: \$153.00 (Fee schedule attached).
- Once a business license application and fees are submitted processing can take approximately 30 days; applications requiring Conditional Use Permits and Health Department approval may take longer.
- If you have any questions please contact Business Licensing at 801-944-7067 or businesslicense@ch.utah.gov.

NEW BUSINESS COMPLIANCE CHECKLIST

This is only a guideline. Depending upon your business type this list may not be complete. Please contact the agencies listed for help in deciding which items apply to your specific business situation. It is the responsibility of the owner/manager to seek out all governmental agencies involved in the regulations of their business.

ZONING

Contact your local zoning office to ensure that your business location is properly zoned for commercial use.

Cottonwood Heights

Place: 1265 East Fort Union Blvd. #250

Phone: (801) 944-7060 mjohnson@ch.utah.gov

REGISTRATION OF A BUSINESS NAME

All persons or partners doing business in Utah under an assumed business name must register with the Department of Commerce. A \$22.00 filing fee is charged.

Place: Heber Wells Building, 160 East 300 South

Phone: (801) 530-4849 www.commerce.utah.gov

FEDERAL EMPLOYER'S TAX I.D. NUMBER

Every person without a previous tax number who pays wages to one or more employees or is required to file any federal reports must apply for a tax number on Form SS-4 with the IRS.

Place: 50 South 200 East

Phone: 1-800-829-1040 www.irs.ustreas.gov/formspubs/index.html

Contact the IRS for information related to income, excise, self-employment and other federal taxes. The IRS also provides a Business Tax Kit and Tax Seminar for businesses. The seminar will provide you with basic instructions and forms for reporting federal taxes on your business.

Place: 50 South 200 East

Phone: 1-800-829-1040 www.irs.gov

STATE TAX INFORMATION

For information related to income tax, sales and use taxes, and other applicable state taxes as well as information concerning applications for a state tax number contact the Utah State Tax Commission.

Place: 210 North 1950 West

Phone: (801) 297-2200 www.tax.utah.gov

STATE BUSINESS LICENSE

Under certain circumstances, a special state business license may be required for your business. Usually, only professionals need a state business license, i.e. CPA's, doctors, contractors, etc.

Place: Heber Wells Building, 160 East 300 South

Phone: (801) 530-6628 www.dopl.utah.gov

HEALTH DEPARTMENT SERVICES

Place: 788 East Woodoak Lane (5400 South)

Environmental Health

Phone: 313-6600

Food Protection

Phone: 313-6620 www.slvhealth.org/eh

ALCOHOLIC BEVERAGE CONTROL

Contact the State Department of Alcoholic Beverage Control if you plan on selling **ANY ALCOHOL OR BEER** on premise.

Place: 1625 South 900 West

Phone: (801) 977-6800 www.abc.utah.gov

UTAH STATE CHILD CARE

Contact the State Office of Licensing if you plan on opening a child care/day care center at your home or in a commercial location.

OFFICE OF LICENSING:

Place: 120 North 200 West

Phone: (801) 538-4034 www.health.utah.gov/licensing

MOTOR VEHICLE ENFORCEMENT

Contact the DMV for dealer, auto body, and vehicle licensing.
Place: 210 North 1950 West
Phone: (801) 297-2600

MINIMUM WAGE LAWS

Many businesses are subject to federal minimum wage, overtime and child labor law regulations. Contact the U.S. Department of Labor, Wage, Hour and Public Contracts Division.
Place: 10 E. South Temple St. Federal: www.dol.gov/dol/topic/wages/minimumwage.htm
Phone: (801) 524-5706 State: <http://jobs.utah.gov/opencms/wi/pubs/wni/>

UNEMPLOYMENT INSURANCE

Unemployment insurance, both state and federal, is generally required in firms with one or more employees. Contact the Department of Workforce Services.
Place: 140 East 300 South
Phone: (801) 526-9675 <http://jobs.utah.gov/ui/Employer.asp>

WORKERS COMPENSATION FUND

Workers compensation insurance is required of all employers. Insurance may be obtained from private companies or the State Insurance Fund. Contact the Industrial Commission Workers Compensation Division. Businesses without employees may be required to complete an exclusion policy.
Place: 160 East 300 South
Phone: (801) 530-6800

PROPERTY TAXES

Property taxes are levied on land, building and equipment used in business. Contact the County Assessor.
Place: 2001 South State Street
Phone: (801) 468-3050 www.assessor.slco.org
For cost or price, contact the Treasurer's Office at (801) 468-3400.

BUREAU OF CRIMINAL IDENTIFICATION

Contact BCI for a criminal history disclosure, i.e. felony or misdemeanor citations, etc.
Place: 3888 West 5400 South (Take 2700 West South to 5400 S. Turn West. Just beyond Bangerter HWY. behind McDonalds)
Phone: (801) 965-4445 www.bci.utah.gov

TOBACCO/CIGARETTES SALES

If you sell cigarettes and/or tobacco you must obtain a license from the Utah State Tax Commission.
Place: 210 North 1950 West
Phone: (801) 297-3540 www.tax.utah.gov/tobacco

IMPORT/EXPORT LICENSING

If you are interested in importing or exporting into Utah contact the following agencies for rules and regulations.
US Customs:
Importing www.customs.gov/xp/cgov/import/
Exporting www.customs.gov/xp/cgov/export/
Utah Exporting:
<http://www.buyusa.gov/utah/>

BULK SALES ACT

When purchasing a business, the purchaser is potentially subject to liability for all debts of the acquired business. Compliance with the Utah Bulk Sales Act is a means of limiting this liability. Seek competent legal advice in order to comply with this act.

SAFETY REGULATIONS

Contact the Department of Occupational Safety and Health (UOSHA)
Place: Heber Wells Building, 160 East 300 South
Phone: (801) 530-6901 <http://laborcommission.utah.gov/UOSH/index.html>

BETTER BUSINESS BUREAU

CONSUMER PROTECTION

DEPARTMENT OF AGRICULTURE

DIVISION OF FINANCE

(801) 892-6009

(801) 530-6601

(801) 538-7100

(801) 538-8838

DIVISION OF REAL ESTATE

INSURANCE DIVISION

SOCIAL SECURITY

(801) 530-6747

(801) 538-3800

(801) 268-1060

Business License Application



**COTTONWOOD HEIGHTS
BUSINESS LICENSE APPLICATION**
1265 E Fort Union Blvd
Suite #250
Cottonwood Heights, UT 84047
p.801.944.7067 f.801.944.7007

***** OFFICIAL USE ONLY *****

License Number _____

- ☐ New Application
☐ Change of Owner/Location
☐ Other _____

Location Type: ☐ Residential ☐ Commercial

Is this a new type of Business at this Location: ☐ Yes ☐ No

Ownership: ☐ Sole Proprietor ☐ Partnership ☐ LLC ☐ Corporation

*LLC, Corporations & Partnerships must provide a current list of Corporate Officers, Partners, Members, Directors & Registered Agents.

Is Business Name Registered with the State: ☐ Yes ☐ No

Federal Tax ID#/SS# _____

Utah Sales Tax # _____

State License # & Type (if Applicable) _____

Business Name _____

DBA Name _____

Business Address (Physical, no PO Box) _____

Mailing Address (if different) _____

Phone _____

Description of Business Activities _____

(If Home Occupation, please indicate Home Office Only, Details on Shipping/Storage & if clients in your home - how many per week)

After Hours Emergency Contact _____

Phone _____

Enter Below the names of Owners, Partners, or Corporate Officers and a Local Manager

Name _____

Title _____

Name _____

Title _____

Home Address _____

Home Address _____

City _____

State _____

Zip _____

City _____

State _____

Zip _____

Home Phone _____

Date of Birth _____

Home Phone _____

Date of Birth _____

Drivers License #/Work ID # _____

US Citizen

☐ Yes ☐ No

Drivers License #/Work ID # _____

US Citizen

☐ Yes ☐ No

Fee Amount

Administration Fees _____ \$

Inspection _____

Disproportionate _____

125% Limit _____

Total Fees \$ _____

***** OFFICIAL USE ONLY *****

Approvals _____

Zoning _____

Code Enforcement _____

Fire _____

Police _____

Health _____

The foregoing information is correct to the best of my knowledge. I am aware that this application does not authorize conducting business until approved by Cottonwood Heights and a license has been issued. I also agree to conduct said business strictly in accordance with the laws and ordinances covering such business, and that no other type of business will be conducted other than what has been state above. It is the responsibility of the licensee to renew the license, failure to receive notice does not excuse this responsibility.

Signature _____

Title _____

Date _____

he shall find that the use will not conflict with the uses in the neighborhood and/or zoning of the subject property. To determine the compatibility of uses, the director may call a public hearing. Request for such permit shall be submitted in writing. Special event permits shall be limited to one per property at any one location for any one time.

2. In issuing a permit, the director may:

(a) Stipulate the length of time the permit may remain valid;

(b) Stipulate the hours of operation of the use; and

(c) Stipulate other regulations which are necessary for the public welfare.

D. Home day care preschool, small. "Home day care/preschool, small" means the keeping for care and/or preschool instruction of six or fewer children including the caregiver's own children under the age of six and under and not yet in full day school within an occupied dwelling and yard. A home day care/preschool, small is exempt from the home occupation requirements of this code, but must meet all of the following standards:

1. There may be a maximum of six children on premises at any time, including the caregiver's own children under the age of six and not yet in full day school.

2. There shall be no employees that do not reside in the dwelling.

3. The home day care/preschool, small caregiver shall comply with all applicable licensing requirements under title 5 of this code.

4. The use shall comply with all applicable noise regulations.

5. The play yard shall not be located in the front yard and only shall be used between 8:00 a.m. and 7:00 p.m.

6. The lot shall contain one available on-site parking space not required for use of the dwelling. The location of the parking shall be approved by the director to insure that the parking is functional and does not change the residential character of the lot.

7. No signs shall be allowed on the dwelling or lot except a nameplate sign.

8. The use shall comply with all local, state and federal laws and regulations.

9. Upon complaint that any of the requirements of this section or any other city ordinance are being violated by a home day care/preschool, or small caregiver, the city shall review the complaint and, if substantiated, may institute a license revocation proceeding under title 5 of this code.

10. All property owners within a 500 foot radius of the caregiver's property shall be mailed notice concerning the licensing of a home day care/preschool, small, at such property; provided, however, that provision of such notice shall not be a condition precedent to the legality of any such license, and no such license shall be deemed invalid or illegal because of any failure to mail any such notice.

E. Home day care/preschool. "Home day care/preschool" means the keeping for care and/or preschool instruction of 12 or fewer children including the caregiver's own children age six or under and not yet in full day school within an occupied dwelling and yard. A home day care/preschool may be approved by the planning commission if it meets all of the following standards:

1. There may be a maximum of 12 children on premises at any time, including the caregiver's own children under the age of six and not yet in full day school.

2. There shall be no more than one employee present at any one time who does not reside in the dwelling.

3. The home day care/preschool caregiver shall comply with all applicable licensing requirements under title 5 of this code.

4. The use shall comply with all applicable noise regulations.

5. The play yard shall not be located in the front yard and only shall be used between 8:00 a.m. and 7:00 p.m.

6. The lot shall contain one available on-site parking space not required for use of the dwelling, and an additional available on-site parking space not required for use of the dwelling for any employee not residing in the dwelling. The location of the parking shall be approved by the director to insure that the parking is functional and does not change the residential character of the lot.

7. No signs shall be allowed on the dwelling or lot except a nameplate sign.

8. The use shall comply with all local, state and federal laws and regulations.

9. Upon complaint that any of the requirements of this section or any other city ordinance are being violated by a home day care/preschool caregiver, the city shall review the complaint and, if substantiated, may (1) set a hearing before the planning commission to revoke any conditional use permit, and/or (2) institute a license revocation proceeding under title 5 of this code.

10. All property owners within a 500 foot radius of the caregiver's property shall be mailed notice of any hearing to grant or revoke any conditional use permit at least ten days prior to the date of the hearing; provided, however, that provision of such notice shall not be a condition precedent to the legality of any such hearing, and no hearing or action

taken thereon shall be deemed invalid or illegal because of any failure to mail any such notice.

F. Home occupations.

1. "Home occupation" means, (unless otherwise provided in this code) any use conducted entirely within a dwelling and carried on by one person residing in the dwelling unit and one additional person who may, or may not, reside in the dwelling unit, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character of the dwelling or property for residential purposes, and in connection with which there is no display nor stock in trade, "stock in trade" being any item offered for sale which was not produced on the premises.

2. The home occupation shall not include the sale of commodities except those produced on the premises; provided, however, that original or reproductions of works of art designed or created by the artist operating a home occupation may be stored and sold on the premises. "Reproduction of works of art" includes, but is not limited to printed reproduction, casting, and sound recordings.

3. The home occupation shall not involve the use of any accessory building, yard space or activity outside the main building if the use of accessory buildings or outside activity, for the purpose of carrying on a home occupation, violates the rule of the use being clearly incidental and secondary to the use of the dwelling or dwelling purposes.

4. The director shall determine whether additional parking, in addition to the two spaces required per dwelling unit, is required for a home occupation and shall also determine the number and location of such additional parking